

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

UNITED STATES OF AMERICA)	
)	DOCKET NO. 1:19CR63
v.)	
)	
JOSEPH CECIL VANDEVERE)	NOTICE PURSUANT TO RULE 404(b)
a/k/a “DaDUTCHMAN5”)	OF THE FEDERAL RULES OF
a/k/a “Da Dutchman”)	CRIMINAL PROCEDURE
a/k/a “Bob Smith”)	

NOW COMES the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, pursuant to Rule 404(b) of the Federal Rules of Evidence, who hereby gives notice that the United States intends to seek to introduce during the trial of this case evidence of other crimes and acts of the defendant to establish, *inter alia*, motive, opportunity, intent, preparation, plan, knowledge, identity, and absence of mistake or accident.

- (1) Defendant’s activities and postings from his “Bob Smith” Facebook account including but not limited to his February 2018 Facebook message to Rabbi Andrew Jacobs and his Facebook messages to “Steve Black.”
- (2) Defendant’s activities and postings from his “Da Dutchman” (“DaDUTCHMAN5”) Twitter account.
- (3) Forensic evidence from Defendant’s computer, including but not limited to (1) saved copies of the lynching picture used in the instant offense, (2) links to his Facebook accounts, (3) evidence of usage of the usernames “DaDutchman5,” “Bob Smith,” and “Da Dutchman.”
- (4) If Defendant “puts his character in issue,” evidence of any personal conduct that may be put into issue by defendant.

In addition, the government may introduce any relevant evidence of prior bad acts which are described in the government's open file.

RESPECTFULLY SUBMITTED, this 18th day of November, 2019.

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